

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MISSOURI**

**JIM BUSH  
d/b/a Trenton Cinema LLC  
or Big Time Cinema Trenton 3,  
Plaintiff,**

**vs.**

**CASE NO.: 5:12-CV-06106-DGK**

**AT&T Corp  
aka AT&T Mobility National Account LLC,**

**Defendants.**

**PLAINTIFF'S PROPOSED SCHEDULING ORDER**

COMES NOW the Plaintiff and pursuant to Federal Rule 26 and Local Rules 16.1 and 26.1 offer the following proposed scheduling order for the above matter:

Plaintiff's attorney has attempted in good faith to discuss the proposed scheduling order with Defendants attorneys. Said attorneys refused to conduct the scheduling conference with Plaintiffs attorney. Said Defendant's attorneys insist they cannot agree on scheduling order unless they can argue in it the Defendant's Motion to Compel Arbitration and if said is not granted threaten appeal. Because Plaintiff's attorney could not obtain a joint scheduling order, Plaintiff respectfully submits the following:

a. Description of the Case: Plaintiff sued for Missouri State law breach of contract, Merchandise Practice Act, misrepresentation and emotional distress/harassment from phone service with Defendant.

b. Initial Rule 26.1 disclosures Plaintiff has provided in its Affidavit and Exhibits. All

other initial disclosures of the parties shall be made by December 12, 2012.

c. Discovery: All discovery except depositions shall be completed on or before March 15, 2013. All factual witness depositions shall be scheduled on or before April 30, 2013.

d. Settlement: The parties shall submit to the Early Assessment Program of this Court's Local Rule on or before March 15, 2013 or they shall have conducted mediation on or before March 15, 2013.

e. Any other Motions such as summary judgment shall be filed on or before May 30, 2013.

f. Any additional parties shall be filed before April 30, 2013.

g. Expert Designation: Plaintiff shall identify no later than June 30, 2013 with disclosure to Defendant any potential expert expected to be called at trial. Defendant shall identify no later than July 30, 2013 with disclosure to Plaintiff any potential expert expected to be called at trial.

h. Trial: Jury trial demand by Plaintiff, Plaintiff anticipates a one day jury trial which can be scheduled any time after September 4, 2013.

i. Any time prior to September 4, 2013, the case should be remanded to the Circuit Court of Grundy County, Missouri.

Respectively Submitted by the Plaintiff,

BY /s/ John L. Young  
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712 MAIN STREET  
PRINCETON, MO 64673  
660-748-3477  
660-748-4707 - fax  
ATTORNEY FOR PLAINTIFF.

## **CERTIFICATE OF SERVICE**

I hereby certify that I have electronically filed and mailed, postage prepaid, a copy of the above to the attorneys of record for the above cause of action on this 9<sup>th</sup> day of November, 2012.

/s/ John L. Young  
JOHN L. YOUNG